IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)
	Plaintiff,) 8:06CR2)
	vs.) DETENTION ORDER
RC	OSCOE L. PERRY,	
	Defendant.	}
A.	Order For Detention After waiving a detention hearing pursuant Act on January 25, 2006, the Court orde pursuant to 18 U.S.C. § 3142(e) and (i).	to 18 U.S.C. § 3142(f) of the Bail Reform rs the above-named defendant detained
B.	The Court orders the defendant's detention X By a preponderance of the evide conditions will reasonably assure the	n because it finds: ence that no condition or combination of e appearance of the defendant as required. at no condition or combination of conditions
C.	U.S.C. § 841(a)(1) (Coun of twenty years imprison (b) The offense is a crime of (c) The offense involves a nation (d) The offense involves a la	es Report, and includes the following: e offense charged: tion of "crack" cocaine in violation of 21 ts I and II) both carry a maximum sentence ment. violence. arcotic drug. rge amount of controlled substances, to wit:
	may affect wheth The defendant h X The defendant h The defendant h The defendant is The defendant of ties. Past conduct of X The defendant h Court proceeding	appears to have a mental condition which ther the defendant will appear. It is not a long time resident of the community. It does not have any significant community the defendant: It is a history relating to drug abuse. It is a history relating to alcohol abuse. It is a significant prior criminal record. It is a prior record of failure to appear at

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X		The r	Cother Factors: The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other: ature and seriousness of the danger posed by the defendant's erare as follows: The nature of the charges in the Indictment. The
		substa	al history of the defendant. The defendant has a substantial ince abuse history. While incarcerated in Douglas County stions, the defendant reportedly was making plans to flee the Omaha
X	X	In deto on the which _ (a)	table Presumptions rmining that the defendant should be detained, the Court also relied following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
	X	_ (b)	That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe: X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from

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- persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: January 25, 2006. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge